

**MID-ATLANTIC FISHERY MANAGEMENT COUNCIL
MEETING AGENDA**

August 16 - 19, 2010

Holiday Inn, Historic District, 400 Arch Street, Philadelphia, PA 19106

Telephone: (215) 923-8660

Monday, August 16

- 12:30 - 2:00 p.m. Research Set-Aside Committee (Tab 1)**
Pate, deFur, Berg, Cole, Gilmore, Himchak, King, Kray, Luisi, Miko, O'Shea [Collins]
- Review 2012 Research Priorities List
 - Review draft mission statement
- 2:00 - 3:30 p.m. Ecosystems and Ocean Planning Committee (Tab 2)**
Kray, McMurray, Anderson, Augustine, deFur, Luisi, Miko, Munden, Schafer, Travelstead, Zeman [Hoff]
- Presentation on activities of the NEFSC Ecosystems Branch by Dr. Michael Fogarty
- 3:30 - 5:00 p.m. Squid, Mackerel, and Butterfish Committee (Tab 3)**
Berg, King, Anderson, deFur, Gilmore, Himchak, McMurray, Pate, Wheatly, O'Shea [Seagraves/Didden] NE Reps: Dave Pierce, Mary Beth Tooley
- Review Amendment 14 scoping comments and refine its goals
 - Receive update on butterfish cap control mechanism affecting *Loligo* fishery from NERO officials

Tuesday, August 17

- 8:00 a.m. Council Convenes**
- 8:00 - 8:15 a.m. Swearing in of New / Reappointed Council Members and Election of Council Officers (Tab 4)**
- 8:15 - 12:00 p.m. Omnibus Amendment on ACL / AM (Tab 5)**
- Review and discuss management alternatives to address ABCs, ACLs and AMs for all FMP species
- 12:00 - 1:00 p.m. Lunch**
- 1:00 - 4:30 p.m. Omnibus Amendment on ACL / AM (Tab 5) - [Continued]**
- Review and discuss management alternatives to address ABCs, ACLs and AMs for all FMP species
 - Approve and adopt Omnibus Amendment for Secretarial Submission
- 4:30 - 5:30 p.m. Executive Committee (Tab 6)**
Robins, Anderson, Augustine, Berg, King, Kray, Kurkul, McMurray, Munden, Pate, Travelstead [Moore]
- Review Ricks E Savage Award criteria and nomination process
 - Excessive share project update
 - SSC membership
 - Visioning Project update

Wednesday, August 18

- 8:00 a.m. Council Convenes**
- 8:00 - 10:00 a.m. Finalize Scup Management Measures for 2011 in conjunction with the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Board (Tab 7)**
- Review SSC and Scup Monitoring Committee's recommendations for 2011
 - Adopt recommendations for 2011 commercial and recreational harvest levels and commercial management measures
- 10:00 - 12:00 p.m. Finalize Black Sea Bass Management Measures for 2011 in conjunction with the Atlantic States Marine Fisheries Commission's Summer Flounder, scup, and Black Sea Bass Board (Tab 8)**
- Review SSC and Black Sea Bass Monitoring Committee's recommendations for 2011
 - Adopt recommendations for 2011 commercial and recreational harvest levels and commercial management measures
- 12:00 - 1:00 p.m. Lunch**
- 1:00 - 4:00 p.m. Finalize Summer Flounder Management Measures for 2011 in conjunction with the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Board (Tab 9)**
- Review SSC and Summer Flounder Monitoring Committee's recommendations for 2011
 - Adopt recommendations for 2011 commercial and recreational harvest levels and commercial management measures
- 4:00 - 5:00 p.m. Finalize Bluefish Management Measures for 2011 in conjunction with the Atlantic States Marine Fisheries Commission's Bluefish Board (Tab 10)**
- Review SSC and Bluefish Monitoring Committee's recommendations regarding 2011 harvest levels and associated management measures
 - Adopt recommendations for harvest levels and associated management measures
- 5:00 - 5:30 p.m. Presentation by Russell Dunn, National Policy Advisor for Recreational Fisheries, Office of the Assistant Administrator NOAA Fisheries**

Thursday, August 19

- 8:00 a.m. Council Convenes**
- 8:00 - 8:30 a.m. Report by Dr. Weinberg (NMFS NEFSC) on the 50th Stock Assessment Review Committee (Tab 11)**
- 8:30 - 9:00 a.m. Marine Recreational Information Program (MRIP) Update by Gordon Colvin of the NOAA Fisheries Service (Tab 12)**
- 9:00 - 10:00 a.m. Presentation by Mitch MacDonald on Office of General Counsel's Enforcement and Litigation Group - Purposes, Practices, and Policies (Tab 12 cont'd)**

10:00 - 10:45 a.m. Presentation by Samuel Rauch on Final Recommendations of the Interagency Ocean Policy Task Force (Tab 13)

10:45 - 1:30 p.m. Business Session

- Approve June 2010 Minutes
- Address any outstanding actions from June 2010 meeting

Business Session

Move to approve April 2010 minutes with corrections.
Augustine/Kray. Moved by consent

Surfclam/Ocean Quahog

- Move that the following management measures be maintained for 2011-2013 as follows:
Surfclams - 3.400 million bushels
Suspend surfclam minimum size limit
Ocean quahogs - 5.333 million bushels
Maine ocean quahogs - 100,000 Maine bushels
- For 2012 through 2013 quotas, request the Council consider impacts of any reopening on Georges Bank for reassessing quotas for 2012 and 2013. Anderson for the Committee (12/1/1). Motion carries

Squid, Mackerel, Butterfish

Move that the following be specified for the 2010 Loligo specifications:

1. Max OY = 32,000 mt; ABC = 24,000; IOY = DAH = DAP = 20,000 mt; AND
2. The annual quota (20,000 mt) be allocated as follows: Trimester 1 - 43% (8,600 mt) Trimester 2 - 17% (3,400 mt), and Trimester 3 - 40% (8,000 mt); AND
3. For Trimesters 1 and 2, the directed fishery will be closed when 90% of each Trimester allocation is taken; vessels will be restricted to a 2,500 pound trip limit for the remainder of the period. Vessels which possess Loligo incidental catch permits may land up to 2,500 pounds per trip at all times; AND
4. When 95% of the total annual quota has been taken (i.e., 19,000 mt), a 2,500 pound trip limit will be implemented for the rest of the fishing year. Vessels which possess Loligo incidental catch permits may land up to 2,500 pounds per trip at all times; AND
5. Up to 330 mt of the DAH/DAP for Loligo may be set aside for scientific research; AND
6. ½ of Trimester 1 underages would be transferred to Trimester 2 and ½ would be transferred to Trimester 3. Overages in Trimester 1 would continue to be deducted from Trimester 3. Underages or overages in Trimester 2 would be applied to Trimester 3. Only triggered if Trimester 1 underage is greater than 25%. The Trimester 2 quota can be increased by a maximum of 50%. AND
7. The butterflyfish cap will close the Loligo fishery as described in Amendment 10 with the extrapolation method to be developed by January 1, 2011 and the Council will be briefed by NERO on the methodology before January 1, 2011.
8. 2 1/8" codends required in Trimesters 1 and 3. 1 7/8" codends required in Trimester 2. Strengtheners can be used subject to minimum 5 inch mesh opening.
9. Move that the Council include notice of September 13, 2010 2 1/8 inch mesh requirement in a press release.
10. Move that up to 3% of butterflyfish DAH would be set aside for either butterflyfish RSA or to cover Loligo RSA as appropriate based on RSA awards.
Berg for Committee (15/0/1). Motion Carries

Move that the following be specified for the 2010 Atlantic mackerel fishery:

1. ABC = 80,000 mt; U.S. ABC = 47,395; IOY, DAH = 46,779mt; DAP = 22,984; JVP and TALFF = 0; AND
2. Directed mackerel fishery to be closed at 90% of OY. If 90% of OY is reached prior to June 1 a 20,000 pound trip limit results. If 90% of OY is reached on or after June 1 a 50,000 trip limit results; AND
3. Up to 3% of the IOY and DAH for Atlantic mackerel may be set aside for scientific research.
4. Plan a conference call with the AP (open to public) to discuss resource sharing issues and/or bilateral research agenda.
Berg for Committee

Move to substitute in #1 that the U.S. DAH = 44,175 MT, which represents the subtraction of the mean 2007-2008 Canadian Landings. Himchak/Augustine. Substitute Motion Withdrawn

Move to substitute for the DAH 2011 specs 46,779 mt that has been generated from an analysis of the correlations between Canadian catch in one year and the US catch in the previous year, which has been considered a conservative estimate of Canadian landings based on the observation that this correlation approach resulted in predictions that exceeded actual Canadian landings in one of the 15 years included in the analysis. US ABC would be changed to 47,395
Pate/Augustine (13/2/1). Substitute Motion Carries

Substitute Motion Becomes Main Motion in terms of DAH for 2011 fishing season.
15/0/1. Motion carries

The Council agrees to the Council staff adjusting the DAH/ABC for 2011 based on analysis of US landings available at time of submission of specifications.
Pate/Augustine (16/0/0). Motion carries

Council agrees to Council staff adjusting DAP for 2011 fishing season based on analysis of US Landings available at time of submission of specifications.
Pate/Kray (15/0/0). Motion carries

Move that the following be specified for the 2011 Butterfish specifications:

1. ABC = 1,500 mt; IOY, DAH, DAP = 500 mt; AND
2. If mackerel TALFF is not specified then bycatch TALFF equals zero, otherwise a bycatch TALFF equal to 0.08% of the mackerel TALFF is to be specified based on the current FMP; AND
3. Maintain the trip limit of 5,000 pounds for moratorium butterfish permits. Maintain the threshold for butterfish minimum mesh requirement (3.0 inches) at 1,000 pounds; AND
4. Maintain the threshold level for directed butterfish fishery closure at 80% of DAH. If 80% of DAH is reached prior to Oct 1, a 250 pound daily trip limit results. If 80% of DAH is reached on/after Oct 1, a 600 pound daily trip limit results; AND
5. Incidental limits: 600 pounds, reduced to 250 pounds if directed fishery closes before Oct 1;

Berg for Committee (12/0/1). Motion Carries

Move that the following be specified for the 2011 Illex specifications:

1. ABC = 24,000; IOY = DAH = DAP = 23,328 mt; AND
2. The directed fishery for Illex closes when 95% of DAH is taken and a 10,000 pound trip limit implemented for the remainder of the fishing year. Vessels which possess Illex incidental catch permits may land up to 10,000 pounds per trip at all times; AND
3. Up to 3% of the DAH or DAP for Illex may be set aside for scientific research.

Berg for Committee (14/0/1). Motion Carries

Move that the Council ask NMFS pursue a Transboundary resource haring agreement with Canada for Atlantic mackerel.
Pate/Zeman (15/0/1). Motion Passes

SMB Amendment 11

Move to include 1000 lb T3 limit with existing T2 year's ranges.

Berg for Committee

Move that cap for Tier 3 landing be established based on analysis of periods 94-07 and 97-07 based on maximum, minimum, median, and averages.

Berg for Committee

Motion to include a range of trip limits for open access fishery between a range of 1,000 pounds and 20,000 pounds.

Berg for Committee

Move to substitute the following "package" alternative for the current alternative 1C:

T1: 1,000,000 1997-2007, 3/21/2007 permit

T2: 100,000 1997-2007, 3/21/2007 permit

T3: 3/21/2007 permit

Zero or 1,000 qualification for T3 1997-2007

No allocations for Tiers but range of T3 Caps: 1% to 6% set annually during specs. Final implementation would be "up to"

Open access would be all vessels that do not qualify for a Tier and would be subject to a trip limit 1,000 pounds to 20,000 pounds, adjustable during specifications.

Tier 2 trip limit: 135,000 pounds initially, adjustable during specifications

Tier 3 Trip limit: 100,000 pounds initially, adjustable during specifications

Task FMAT to add a range of reporting changes for monitoring needs (e.g. weekly VTR for Tier 3)

Berg/Himchak. Approved by consent

Move to substitute the following "package" alternative for the current alternative 1D (PREFERRED): T1: 400,000 pounds 1997-2005, 3/21/2007 permit

T2: 100,000 pounds 3/1/94-2005, 3/21/07 permit

T3: 3/21/2007 permit

Zero or 1,000 qualification for T3 1994-2005

No allocations for Tiers but range of T3 Caps: 2% to 7% set annually during specs. Final implementation would be "Up To."
Open access would be all vessels that do not qualify for a Tier and would be subject to a trip limit 1,000 pounds to 20,000, adjustable during specifications.

Tier 2 Trip limit: 135,000 pounds initially, adjustable during specifications

Tier 3 Trip limit: 100,000 pounds initially, adjustable during specifications.

Task FMAT to add a range of reporting changes for monitoring needs (e.g. weekly VTR for Tier 3)

Berg/Kray. Approved by consent

Move to concur with Committee and AP that the fleet size/capacities resulting from current alternatives are the desired range of fleet sizes/capacities. The summary and rationale behind the second scenario described in the May 26 meeting summary accurately reflects the Council's intent in terms of the resulting mackerel fleets resulting from Amendment 11.

Anderson/Kray. Motion by consent with one abstention

Move to finalize updated DEIS, submit to NMFS for review, and publish with written comment period.

Berg/Kray. Approved by consent

Move that the current Canadian catch prediction method is an interim method and the Monitoring Committee is requested of investigate the issue in a holistic fashion before then next specs cycle.

Berg/Kray. Approved by consent

Move that the current Canadian catch prediction method is an interim method and the Monitoring Committee is requested to investigate the issue in a holistic fashion before the next specs cycle.

Berg/Kray. Approved by consent

ACL/AM Omnibus Amendment

Move to eliminate Option 1m, AM option for Tilefish in the ACL/AM Omnibus Amendment.

Anderson/Pate (11/3/1). Motion carries

Move to incorporate 75% of Fmsy into the control rule as a default for Tier 3 determination in the ACL/AM Omnibus Amendment.

deFur/Augustine. Passed by consent

Move that risk policy reside in the CL/AM Omnibus FMP.

Anderson/deFur. Passed by consent

Move to add modified option of 2B in the ACL/AM Omnibus Amendment to include a-typical and have a definition of what a-typical means.

Anderson/deFur. Passed by consent

Move to remove the prescriptive in-season trigger from the considered but rejected option in the ACL/AM Omnibus Amendment for in-season recreational measures for Summer Flounder, Scup, and Black Sea Bass.

McMurray/Heins 13/1/1. Motion carries

Move to leave option 1 (Bluefish RHL adjust - rec pays) and option 2 (both pay) to considered buy rejected in the ACL/AM Omnibus Amendment.

Himchak/Berg (12/0/1). Motion carries

Executive Committee

Move that the Council consider outside sources of funding in the next 30 days for excessive shares. If unsuccessful the Council should consider using its own funds not to exceed \$100,000.

Robins for Committee. Moved by consent

Move that staff develop a process to work with the Advisory Panels to develop annual fishing performance reports for consideration by the SSC and Monitoring Committees during the specification process beginning in 2011.

Robins for Committee. Moved by consent

Liaison Reports (Tab 14)

- New England Council
- South Atlantic Council

Organizational Reports (Tab 15)

- NMFS Regional Administrator
- NMFS NEFSC Director
- NOAA Office of General Counsel
- Federal Enforcement (NMFS and U.S. Coast Guard)
- ASMFC Director

Executive Director's Report - Dr. Christopher M. Moore

Status of Council's Fishery Management Plans (FMP) - Rich Seagraves (Tab 16)

Committee Reports (Tab 17)

- Highly Migratory Species
- Scientific and Statistical (AP Annual Report)
- Research Set-Aside [2012 Research Priorities List and Mission Statement]
- Ecosystem and Ocean Planning
- Squid, Mackerel, Butterfish Committee [Amendment 14 Status]
- Executive Committee [Awards]

Continuing and New Business (Tab 18)

- Address Request for Initiation of an Anadromous FMP

The above agenda items may not be taken in the order in which they appear and are subject to change as necessary. Other items may be added, but the Council cannot take action on such items even if the item requires emergency action without additional public notice. Non-emergency matters not contained in this agenda may come before the Council and / or its Committees for discussion, but these matters may not be the subject of formal Council or Committee action during this meeting. Council and Committee actions will be restricted to the issues specifically listed in this agenda. Any issues requiring emergency action under section 305(c) of the Magnuson-Stevens Act that arise after publication of the Federal Register Notice for this meeting may be acted upon provided that the public has been notified of the Council's intent to take final action to address the emergency. The meeting may be closed to discuss employment or other internal administrative matters.